

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

ORDER ADOPTING REPORT AND RECOMMENDATION

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Report and Recommendation on March 16, 2007, to which Petitioner has timely objected.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. Turning to Petitioner's Objection, the Court notes that Petitioner's attempt to rely on previous pleadings to raise objections to the R&R is without merit. Objections to an R&R must be specific. United States v. One Parcel of Real Property, 73 F.3d 1057 (10th Cir. 1996):

[O]nly an objection that is sufficiently specific to focus the district court's attention on the factual and legal issues that are truly in dispute will advance the policies behind the Magistrate's Act that led us to adopt a waiver rule in the first instance. Therefore, we hold that a party's objections to the magistrate judge's report and recommendation must be both timely and specific to

preserve an issue for de novo review by the district court or for appellate review.

Thus, Petitioner has failed to trigger de novo review of any issue other than Ground Three.

Petitioner did raise a specific objection to Judge Purcell's resolution of Ground Three. However, the arguments raised by Petitioner were thoroughly addressed and resolved by Judge Purcell in the Report and Recommendation and the Court finds no error in Judge Purcell's reasoning.

Accordingly, the Court adopts, in its entirety, the Report and Recommendation of the Magistrate Judge (Dkt. No. 17), and for the reasons announced therein, denies this petition for habeas corpus relief. A judgment will enter accordingly.

IT IS SO ORDERED this 29th day of March, 2007.



ROBIN J. CAUTHRON
United States District Judge